

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 4:14CR197 RAS/DDB
	§	
LARRY WAYNE THOMPSON	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant’s supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on February 17, 2015, to determine whether Defendant violated his supervised release. Defendant was represented by Frank Henderson. The Government was represented by Andrew Stover.

On September 8, 2011, Defendant was sentenced by the Honorable Hayden Head, United States District Judge, to a sentence of eight months imprisonment followed by a ten-year term of supervised release, for the offense of Failure to Register as a Sex Offender Under the Sex offender Registration and Notification act. Defendant began his term of supervision on November 7, 2011. This case was transferred to the Eastern District of Texas and the Honorable Richard A. Schell on December 23, 2014.

On January 8, 2015, the U.S. Probation Officer filed a Superseding Petition for Offender Under Supervision (the “Petition”) (Dkt. 6). The Petition asserts that Defendant violated the

following conditions of supervision: (1) Defendant must report any change in residence; (2) Defendant must participate in a sex offender counseling program; and (3) Defendant must register as a sex offender.

The Petition alleges that Defendant committed the following violations: (1) On or about September 2, 2013, Defendant left his last known place of residence located at 802 Hancock Avenue, Apt. 8 in Corpus Christi, Texas, and failed to notify U.S. Probation Officer Ricardo J. Ortiz ten days prior of his change of residence; (2) Defendant was participating in a sex offender counseling program with Paramount Therapy Center requiring two individual counseling sessions and two group counseling sessions per month. Defendant violated the rules and regulations of the Paramount Therapy Center Program by failing to report for his required individual and group counseling sessions on September 10, 2013. When Defendant was contacted by Paramount Therapy Center Staff member Eloisa Davalos, about reporting to his sessions on that day, Defendant stated that “he was not interested” and hung up the telephone; and (3) From on or about September 1, 2013, through on or about September 23, 2013, in the Eastern District of Texas, Defendant, a person required to register under the Sex Offender Registration and Notification Act, is a sex offender as defined for purposes of the Sex Offender Registration and Notification Act by reason of conviction under Federal law, and did knowingly fail to register and update his registration as required by the Sex Offender Registration and Notification Act, in violation of 18 U.S.C. § 2250(a).

At the hearing, Defendant entered a plea of true to the alleged violations. Defendant waived his right to allocute before the district judge and his right to object to the report and recommendation of this Court. The Court finds that Defendant has violated the terms of his supervised release.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984 and having considered the arguments presented at the February 17, 2015 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of six (6) months to run consecutive to any other sentence being served, with no supervised release to follow.

SIGNED this 9th day of March, 2015.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE